

IC 9-30-13

Chapter 13. Miscellaneous Criminal Offenses; Suspension of Driver's License

IC 9-30-13-0.5

Certified abstract of record of conviction forwarded to bureau by a court

Sec. 0.5. (a) A court shall forward to the bureau a certified abstract of the record of the conviction of a person in the court for a violation of a law relating to motor vehicles.

(b) If in the opinion of the court a defendant should be deprived of the privilege to operate a motor vehicle upon a public highway, the court shall recommend the suspension of the convicted person's driving privileges for a fixed period established by the court not exceeding one (1) year.

(c) The bureau shall comply with the court's recommendation.

(d) At the time of a conviction referred to in subsection (a) or under IC 9-30-5-7, the court may obtain and destroy the defendant's current driver's license.

(e) An abstract required by this section must be in the form prescribed by the bureau and, when certified, shall be accepted by an administrative agency or a court as prima facie evidence of the conviction and all other action stated in the abstract.

As added by P.L.125-2012, SEC.365.

IC 9-30-13-1

Reckless driving

Sec. 1. For a person who uses a motor vehicle to commit recklessness under IC 35-42-2-2, the judge of the court in which the person is convicted shall recommend that the driving privileges of the person be suspended for not less than sixty (60) days and not more than two (2) years. If the court fails to recommend a fixed term of suspension, the bureau shall impose the minimum period of suspension required under this section.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.366.

IC 9-30-13-2

Obstruction of traffic

Sec. 2. For a person who uses a motor vehicle to commit obstruction of traffic under IC 35-42-2-4, the judge of the court in which the person is convicted may recommend that the driving privileges of the person be suspended for not less than sixty (60) days and not more than two (2) years.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.367.

IC 9-30-13-3

Criminal mischief

Sec. 3. For a person who uses a motor vehicle to commit criminal

mischievous under IC 35-43-1-2, the judge of the court in which the person is convicted may recommend that the driving privileges of the person be suspended for not less than sixty (60) days and not more than two (2) years.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.368.

IC 9-30-13-4

Involuntary manslaughter; reckless homicide; term of suspension

Sec. 4. (a) If a person commits any of the following offenses, the court that convicted the person shall recommend the suspension of the person's driving privileges for a fixed period of at least two (2) years and not more than five (5) years:

(1) Involuntary manslaughter resulting from the operation of a motor vehicle (IC 35-42-1-4).

(2) Reckless homicide resulting from the operation of a motor vehicle (IC 35-42-1-5).

(b) If the court fails to recommend a fixed term of suspension, the bureau shall impose the minimum period of suspension required under this section.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.369.

IC 9-30-13-5

Repealed

(Repealed by P.L.125-2012, SEC.370.)

IC 9-30-13-6

Suspension of driving privileges; petition for reinstatement; restricted driving privileges

Sec. 6. (a) The bureau shall, upon receiving an order of a court issued under IC 31-14-12-4 or IC 31-16-12-7, suspend the driving privileges of the person who is the subject of the order.

(b) The bureau may not reinstate driving privileges suspended under this section until the bureau receives an order allowing reinstatement from the court that issued the order for suspension.

(c) Upon receiving an order for suspension under subsection (a), the bureau shall promptly mail a notice to the last known address of the person who is the subject of the order, stating the following:

(1) That the person's driving privileges are suspended, beginning five (5) business days after the date the notice is mailed, and that the suspension will terminate ten (10) business days after the bureau receives an order allowing reinstatement from the court that issued the suspension order.

(2) That the person has the right to petition for reinstatement of driving privileges to the court that issued the order for suspension.

(3) That the person may be granted restricted driving privileges under IC 9-24-15-6.7 if the person otherwise qualifies and can prove that public transportation is unavailable for travel by the

person:

- (A) to and from the person's regular place of employment;
- (B) in the course of the person's regular employment;
- (C) to and from the person's place of worship; or
- (D) to participate in parenting time with the petitioner's children consistent with a court order granting parenting time.

(d) A person who operates a motor vehicle in violation of this section commits a Class A infraction, unless:

- (1) the person's driving privileges are suspended under this section; and
- (2) the person has been granted restricted driving privileges under IC 9-24-15 as a result of the suspension under this section.

As added by P.L.125-2012, SEC.371.

IC 9-30-13-7

Notice of suspension of driving privileges for delinquent child support; reinstatement

Sec. 7. (a) If the bureau is advised by the Title IV-D agency that the obligor (as defined in IC 31-25-4-4) either requested a hearing under IC 31-25-4-33 and failed to appear or appeared and was found to be delinquent, the bureau shall promptly mail a notice to the obligor stating the following:

- (1) That the obligor's driving privileges are suspended, beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate after the bureau receives a notice from the Title IV-D agency that the obligor has:

- (A) paid the obligor's child support arrearage in full; or
- (B) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

- (2) That the obligor may be granted restricted driving privileges under IC 9-24-15-6.7 if the obligor can prove that public transportation is unavailable for travel by the obligor:

- (A) to and from the obligor's regular place of employment;
- (B) in the course of the obligor's regular employment;
- (C) to and from the obligor's place of worship; or
- (D) to participate in parenting time with the petitioner's children consistent with a court order granting parenting time.

(b) The bureau may not reinstate driving privileges suspended under this section until the bureau receives a notice from the Title IV-D agency that the obligor has:

- (1) paid the obligor's child support arrearage in full; or
- (2) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

(c) An obligor who operates a motor vehicle in violation of this

section commits a Class A infraction, unless:

- (1) the obligor's driving privileges are suspended under this section; and
- (2) the obligor has been granted restricted driving privileges under IC 9-24-15 as a result of the suspension under this section.

As added by P.L.125-2012, SEC.372.

IC 9-30-13-8

Suspension of driving privileges after fuel theft conviction

Sec. 8. (a) Upon receiving an order issued by a court under IC 35-43-4-8(b) concerning a person convicted of fuel theft, the bureau shall do the following:

- (1) Suspend under subsection (b) the driving privileges of the person who is the subject of the order, whether or not the person's current driver's license accompanies the order.

- (2) Mail to the last known address of the person who is the subject of the order a notice:

- (A) stating that the person's driving privileges are being suspended for fuel theft;

- (B) setting forth the date on which the suspension takes effect and the date on which the suspension terminates; and

- (C) stating that the person may be granted restricted driving privileges under IC 9-24-15-6.7 if the person meets the conditions for obtaining restricted driving privileges.

- (b) The suspension of the driving privileges of a person who is the subject of an order issued under IC 35-43-4-8(b):

- (1) begins five (5) business days after the date on which the bureau mails the notice to the person under subsection (a)(2); and

- (2) terminates thirty (30) days after the suspension begins.

- (c) A person who operates a motor vehicle during a suspension of the person's driving privileges under this section commits a Class A infraction unless the person's operation of the motor vehicle is authorized by restricted driving privileges granted to the person under IC 9-24-15-6.7.

As added by P.L.125-2012, SEC.373.